

AO 91 (Rev. 11/11) Criminal Complaint

United States District Court
Southern District Of Texas
FILED

UNITED STATES DISTRICT COURT APR 22 2020

for the
Southern District of Texas

David J. Bradley, Clerk

United States of America

v.

Jose Humberto Ordonez

Case No.

M-20-0893-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 04/21/2020 in the county of Starr in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

18 USC 111(a)(1)

Any person who forcibly assaults, resists, opposes, impedes, intimidates, or
interferes with any person designated in section 1114 of this title while
engaged in or on account of the performance of official duties:

This criminal complaint is based on these facts:

Please see Attachment A

☒ Continued on the attached sheet.Submitted by reliable electronic means, sworn and
attested to telephonically per Fed. R. Cr. P. 4.1., and
probable cause found on: _____

Reviewed by: AUSA M. Redavid

Date:

04/22/2020 @ 5:28 PM

City and state:

McAllen, TX

Complainant's signature

Joel Leal Jr, Deputy U.S. Marshal

Printed name and title

Judge's signature

J. Scott Hacker, U.S. Magistrate Judge

Printed name and title

Attachment A

Affidavit

I, Joel Leal Jr, being a first duly sworn, state as follows:

I, Joel Leal Jr, am a Deputy U. S. Marshal with the United States Marshals Service (USMS) in McAllen, Texas, and have been so employed since July 2008. This affidavit is based on information I gathered and information provided by the Starr County Sheriff's Office in Rio Grande City, Texas.

As a Deputy U. S. Marshal, I am authorized to investigate violations of federal laws of the United States.

The following facts and information are known by the Affiant and were provided by Starr County Sheriff's Officers in Rio Grande City, Texas. This information serves as probable cause in support of a complaint for violation Title 18, U.S.C., Section 111(a)(1), Assaulting a Federal Officer.

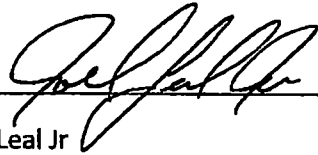
Jose Humberto Ordonez was convicted of possession with intent to distribute approximately 211 kilograms of marijuana on August 5, 2019 in the Southern District of Texas, McAllen Division. Ordonez was held without bond awaiting sentencing on the drug trafficking charge at the Starr County Detention Center in Rio Grande City, Texas pursuant to an intergovernmental service agreement with the U.S. Marshals Service.

On or about April 21, 2020, Jose Humberto Ordonez, a federal detainee at the Starr County Detention Center, intentionally and forcibly assaulted H. Lopez III, a Sergeant at the Starr County Detention Center, by repeatedly striking him in the face, while Sergeant H. Lopez III was assisting officers and employees of the United States and the United States Marshals Service and while he was engaged in and on account of the performance of his official duties. Specifically:

On April 21, 2020, at approximately 2:50 p.m., an officer at the Starr County Detention Center observed by surveillance camera that a federal detainee, Jose Humberto Ordonez, who was under the care and control of the Starr County Detention Center on behalf of the U.S. Marshals Service pursuant to an intergovernmental service agreement, was attempting to tamper with a security camera covering his cell. In accordance with his official duties as a Starr County Officer and designee of the U.S. Marshals Service, Sergeant H. Lopez III of the Starr County Detention Center, along with other officers, responded to the area. Sergeant H. Lopez and other officers approached the cell where Ordonez was held and it was observed Ordonez was bleeding from a self-inflicted wound. Ordonez did not comply with the officers commands to stop and face the wall when Sergeant H. Lopez and other officers entered the cell to stop him from further injuring himself. Ordonez physically resisted Sergeant H. Lopez and began striking him in the face / nose area repeatedly with a closed fist right hand. Multiple Starr County officers intervened to control the situation using no greater than reasonable force necessary to restrain the detainee, Ordonez.

As a result of the strikes inflicted by Ordonez, Sergeant H. Lopez was bleeding from his nose and sought medical attention where he was transported to Starr County Memorial Hospital. It was determined that Sergeant H. Lopez sustained a nasal fracture and was referred to a specialist.

Based on the aforementioned factual information, your Affiant respectfully submits that ORDONEZ committed violation of Title 18, United States Code, Section 111(a)(1), Assaulting a Federal Officer.

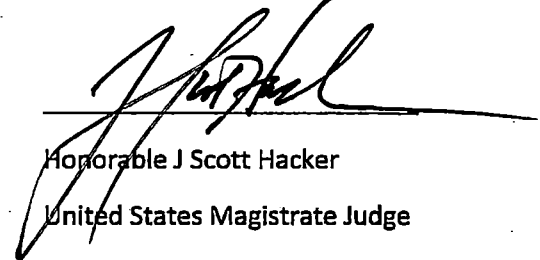


Joel Leal Jr

Deputy U.S. Marshal

U.S. Marshals Service

Sworn to and subscribed before me this 22nd day of April, 2020



Honorable J Scott Hacker
United States Magistrate Judge